

ORANGE COUNTY PLANNING COMMISSION

SUMMARY MINUTES

HEARING DATE: JULY 28, 2010

II. Roll Call

All commissioners were present except for the vacant Fourth District seat.

III. Consent Item (s) – Minutes of April 14, 2010

The motion to approve the minutes was moved by Commissioner Hall and seconded by Commissioner Lam and was carried by a three to zero vote with one abstention.

IV. Discussion Item(s)

ITEM #1. PUBLIC HEARING – NOMINATION AND ELECTION OF PLANNING COMMISSION OFFICERS FOR REMAINDER OF 2010

Conduct the nomination and election of officers pursuant to the Orange County Planning Commission Rules of Procedure, approved December 7, 2004, for remainder of 2010 as a result of the Chair vacancy.

Recommended Action:

Chair to conduct meeting to nominate and elect new officers, who unless any change occurs, will serve in these capacities until the next year. New Chair will assume office immediately pursuant to the Commission's Rules and Procedures.

The following is the action taken by the Orange County Planning Commission:

The motion for Item #1 was made by Commissioner Hall and seconded by Commissioner Brose to nominate Commissioner Adams as Chair. A motion was made by Commissioner Lam and seconded by Commissioner Adams to nominate Commissioner Hall as Vice-Chair. Both motions were carried by a four to zero vote.

APPROVE ☒

OTHER ☐

DELETED ☐

Unanimous ☐ (1) Lam: Y (2) Adams: Y (3) Brose: Y (4) Vacant: (5) Hall: Y

Vote Key Y=Yes; N=No; A=Abstain; X=Excused

Special Notes: None

ORANGE COUNTY PLANNING COMMISSION

SUMMARY MINUTES

July 28, 2010

**ITEM #2. PUBLIC HEARING – PLANNING APPLICATION PA 100015
FOR A SITE DEVELOPMENT PERMIT**

The applicant is requesting a Site Development Permit to establish a new communications carrier and add new telecommunication antennae/equipment to an existing wireless communication site.

Recommended Action:

- a) Receive staff report and public testimony as appropriate.
- b) Find that the proposed project is Categorically Exempt (Classes 1 and 3) from the provision of CEQA.
- c) Approve Planning Application PA100015, subject to the attached Findings and Conditions of Approval.

The following is the action taken by the Orange County Planning Commission:

The motion for Item #2 was made by Commissioner Lam and seconded by Commissioner Hall to accept staff's recommendation to approve with a modification to finding #7 with regard to the chain link fencing to clarify that it is the existing chain link fencing that they are approving, and only the existing chain link fencing as it is currently designed and constructed so it cannot be expanded in any way, shape or form, and Chair Adams added that it will not be visible from any public roadway; as recommended by OC Public Works/OC Planning, was carried by a unanimous vote

APPROVE AS RECOMMENDED ☒

OTHER ☐

DELETED ☐

Unanimous ☒ (1) Lam: Y (2) Adams: Y (3) Brose: Y (4) Vacant: (5) Hall: Y

Vote Key: Y=Yes; N=No; A=Abstain; X=Excused

Special Notes: Patrick Inkman spoke on behalf of the applicant of this project.

**ITEM #3. PUBLIC HEARING – PA100019 – TONNER HILLS PA3 -
APPLICANT – STANDARD PACIFIC HOMES OF TONNER
HILLS LLC., PLANNING AREA (PA) 3 OF TONNER HILLS
PLANNED COMMUNITY**

Site Development Permit to the Planning Commission to modify the existing approval (PA060042) for Single Family Detached Cluster project for Tonner Hills Planning Area (PA) 3 to allow for new lotting scenario for PA3A, alternative development standards and the relocation of the model site for Tract 16979.

ORANGE COUNTY PLANNING COMMISSION

SUMMARY MINUTES

July 28, 2010

Recommended Action:

- a) Receive staff report and public testimony as appropriate.
- b) Find that proposed project (PA100019) is covered by Final EIR 581, previously certified on November 19, 2002, as adequate and satisfies the requirements of CEQA.
- c) Approve Planning Application PA100019 to amend the existing Site Development Permit (PA060042) for PA3A Detached Cluster Single Family Development with model site complex and Alternative Development Standards, subject to the attached Findings and Conditions of Approval.

The following is the action taken by the Orange County Planning Commission:

The motion for Item #3 was made by Commissioner Hall and seconded by Commissioner Lam to accept staff's recommendation to approve project, that proposed project is covered by final EIR 581 which was previously certified on November 19, 2002, and is adequate and satisfies requirements of CEQA, and with a request by the Planning Commission for an additional condition to address disclosure of Brea parking requirements; as recommended by OC Public Works/OC Planning, was carried by a unanimous vote.

APPROVE AS RECOMMENDED ☒

OTHER ☐

DELETED ☐

Unanimous ☒ (1) Lam: Y (2) Adams: Y (3) Brose: Y (4) Vacant: (5) Hall: Y

Vote Key Y=Yes; N=No; A=Abstain; X=Excused

Special Notes: Sean Doyle of Standard Pacific Homes, the applicant, spoke on behalf of the project and Dana Kemper, Fire Marshall for the City of Brea Fire Department, also spoke in support of the project. The additional condition for Brea parking brought the total number of conditions to 16.

ITEM #4. PUBLIC HEARING – RECONSIDERATION OF PA090011 GIRACCI VINEYARDS

The applicant is requesting approval of Use Permit for additional uses and structures to previously approved Planning Application PA060093 to allow wine, beverage, snack and ancillary gift retail sales, use of an existing clubhouse as a wine tasting room and evening dinner restaurant, use of an existing garage as a producing winery, addition of carport for off-street parking requirements and the addition of two horse stalls/stables. The Use Permit request would also allow for special events (weddings, anniversaries, parties and fundraisers) up to 200 persons and off-street parking modifications per Zoning Ordinance Section 7-9-145.7.

ORANGE COUNTY PLANNING COMMISSION

SUMMARY MINUTES

July 28, 2010

Recommended Action:

- a) Receive staff report and public testimony as appropriate.
- b) Approve Negative Declaration PA090011 as adequate for the purposes of CEQA.
- c) Approve Planning Application PA090011 subject to the attached Findings and Conditions of Approval.

The following is the action taken by the Orange County Planning Commission:

The motion for Item #4 was made by Commissioner Hall and seconded by Commissioner Adams to disapprove the project as proposed and was carried by a three to one vote.

The Commission raised the following issues as reasons for disapproving the project: The Zoning Code requires that a use permitted in an A-1 Zoning District must be consistent with the General Plan. The General Plan requires consistency with the Silverado-Modjeska Specific Plan. The project does not appear to be consistent with the Silverado-Modjeska Specific Plan in that the Plan requires that this commercial use be intended primarily to serve the adjacent residential neighborhood and that it not cause undue impacts on neighboring properties. Traffic and traffic safety, alcohol sales in a residential community and noise impacts continue to be a concern for the Commission. As such, an Amendment to the Specific Plan, which would require additional environmental analysis and public input, is both necessary and prudent in order to approve this project. Finally, Commissioners Hall, Brose, and Adams each commented on limitations on the use they would respectfully recommend should the Board decide to take an alternative action to the Planning Commission decision.

Commissioner Hall:

- *Limit events to ten annually (including four permitted by Zoning Code Section 7-9-136.11)*
- *No amplified music*
- *Wine tasting only on Saturday and Sunday*
- *No retail use*
- *End events one hour before sundown*
- *Identify specific location and orientation of music performance should amplified music be permitted*

Commissioner Brose:

- *Sundown is too vague, provide precise time for conclusion of events*
- *Add condition of approval requiring valet parking*

ORANGE COUNTY PLANNING COMMISSION

SUMMARY MINUTES

July 28, 2010

Commission Adams:

- *Maximum of ten events annually*
- *No amplified music*
- *Wine tasting Saturday and Sunday, midweek by appointment only*
- *Retail wine sales are okay, no other retail*
- *Events to conclude at 5:00 pm in winter and 7:00 pm in summer*
- *Applicant shall be conditioned to provide a specific overflow parking plan identifying precise number and location of all on-site spaces*

DISAPPROVE AS RECOMMENDED ☒

OTHER ☐

DELETED ☐

Unanimous ☐ (1) Lam: N (2) Adams: Y (3) Brose: Y (4) Vacant: (5) Hall: Y

Vote Key: Y=Yes; N=No; A=Abstain; X=Excused

Special Notes: There were forty speakers with two persons withdrawing from speaking on this project. There were twenty-four speakers in support and fourteen speakers in opposition of the project. Elie Farah, Traffic Engineer, spoke on the traffic issues and Curt Saxon spoke on Water Quality concerns.

V. Reports from OC Planning

Commissioner Lam resigned effective today at the end of this meeting as he was appointed by Chair Janet Nguyen as Commissioner to the ALUC.

a) Upcoming Agenda Items

August 11, 2010

No items. No meeting scheduled for August 11, 2010.

b) Reports on Recent Actions of the Board of Supervisors

c) Litigation

Nothing to report.

d) Previous Commission or Commissioner Requests

Planning Commission Hearing adjourned at 6:08 p.m.